

**SUPREME COURT MINUTES
TUESDAY, OCTOBER 5, 1999
SAN FRANCISCO, CALIFORNIA**

4th Dist. In re Paul William
G025280 on
Div. 3 Habeas Corpus

The time for granting or denying review on the court's own motion is hereby extended to and including November 1, 1999, or the date upon which review is either granted or denied. Rule 28(a)(1), California Rules of Court.

Orders were filed in the following matters extending the time within which to grant or deny a petition for review to and including the date indicated, or until review is either granted or denied:

- A077178/S081540 People v. Raymond Henderson – November 12, 1999.
- A079691/S081464 People v. Brendell Levi – November 10, 1999.
- A083016/S081488 Lauren D. Beckman v. Georgia-Pacific Corporation – November 16, 1999.
- A083102/S081511 Richard L. Eby v. J. Irvine Bingham – November 15, 1999.
- A083882/S081564 Sally Larch v. Workers' Compensation Appeals Board et al. – November 18, 1999.
- A085821/S081375 In re Joe Hilton on Habeas Corpus – November 5, 1999.
- B101962/S081463 People v. Joaquin A. Larios et al. – November 18, 1999.
- B112357/S081435 People v. Philip Michael Gordon – November 15, 1999.
- B116552/S081307 Elga Simonia et al. v. Mansoor Karamooz – November 8, 1999.
- B116624/S081402 People v. Simon Alejandro Quijas – November 12, 1999.

- B117940/S081250 In re Randolph J. Ware on Habeas Corpus; People v. Randolph J. Ware; And Companion Cases – November 5, 1999.
- B118505/S081273 Star's Limo Incorporated v. Mehrdad Baghi – November 8, 1999.
- B119186/S081266 LA Fe Incorporated et al. v. Los Angeles County et al. – November 5, 1999.
- B119697/S081246 People v. Ricardo Enrique Lopez – November 9, 1999.
- B120370/S081329 People v. Oliver Deander Chandler et al. – November 10, 1999.
- B120617/S081019 People v. Alexander Boddie – November 5, 1999.
- B121168/S081443 People v. Tanisha Monique Hardy – November 16, 1999.
- B122330/S081337 In re Eusebio Banuelos on Habeas Corpus; People v. Eusebio Banuelos; And Companion Case – November 10, 1999.
- B122834/S081294 Robert Marich et al. v. Orz Media Incorporated et al. – November 9, 1999.
- B125291/S081269 Jameel Newt Jones v. Los Angeles County Superior Court; People, RPI – November 8, 1999.
- B125740/S081326 Mesa Forest Products Incorporated v. St. Paul Mercury Insurance Company – November 10, 1999.
- B130290/S081436 In re Philip Michael Gordon on Habeas Corpus – November 15, 1999.
- B130483/S081168 In re William K., a Person Coming Under the Juvenile Court Law; Los Angeles County Dept. Children & Family Svcs. v. Los Angeles County Superior Court – November 12, 1999.
- B132906/S081433 PSI Interstate Brands Corporation v. Workers' Compensation Appeals Board et al. – November 15, 1999.

- B133083/S081453 Corru-Kraft v. Workers' Compensation Appeals Board et al.
– November 15, 1999.
- B133926/S081423 Marco Vasquez v. Los Angeles County Superior Court;
People, RPI – November 12, 1999.
- C025568/S081427 People v. Randy Revak – November 12, 1999.
- E022717/S081599 Howard Jarvis Taxpayers Association et al. v. City of
Riverside – November 18, 1999.
- E022731/S081406 People v. Tony Ray Evans – November 10, 1999.
- E024277/S081398 County of Riverside v. Riverside County Superior Court;
Lion's Lair Enterprises Inc., RPI – November 10, 1999.
- G024200/S081271 Mary Suzanne Orlina v. Orange County Superior Court;
People, RPI – November 5, 1999.
- F027148/S081233 People v. Robert Lee Santos et al. – November 10, 1999.
- F027826/S081276 People v. Arthur Gordon Alvary; In re Arthur Gordon
Alvary on Habeas Corpus – November 8, 1999.
- F030494/S081438 People v. Armando O. Sandoval – November 10, 1999.
- H020199/S081472 Zilog Incorporated v. Santa Clara County Superior Court;
Pacific Indemnity Company et al., RPIs – November 12,
1999.
- H020238/S081518 George P. Roberts et al. v. Santa Clara County Superior
Court; Gayle M. Wing et al., RPIs – November 18, 1999.

S004507 People, Respondent
S004703 v.
Michael Anthony Cox, Appellant

In re Michael Anthony Cox on Habeas Corpus

On application of the parties and good cause appearing, it is
ordered that the time to serve and file exceptions to report of referee

and simultaneous briefs on the merits is extended to and including December 6, 1999.

S025880 People, Respondent

v.

Richard Louis Phillips, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's response to appellant's supplemental opening brief is extended to and including October 15, 1999.

No further extensions of time will be granted.

S029384 People, Respondent

v.

Dannie Ray Hillhouse, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including December 6, 1999.

S030956 People, Respondent

v.

William James Ramos, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including December 6, 1999.

S033975 People, Respondent

v.

Michael Stephen Combs, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including December 6, 1999.

S069522 Peter Alan Kasler et al., Appellants

v.

Daniel E. Lungren, as Attorney General, etc. et al., Respondents

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellants' supplemental letter brief is extended to and including October 18, 1999.

No further extensions will be granted.

S070177 Thomas M. White, Respondent

v.

Ultramar Incorporated, Appellant

The application of Beverly Enterprises-California for permission to file an amicus curiae brief in support of appellant is hereby denied.

S045060 People, Respondent

v.

Keith Thomas Loker, Appellant

Upon request of appellant for appointment of counsel, the State Public Defender is hereby appointed to represent appellant Keith Thomas Loker for the direct appeal in the above automatic appeal now pending in this court.

S047867 People, Respondent

v.

Lester Wayne Virgil, Appellant

Upon request of appellant for appointment of counsel, the State Public Defender is hereby appointed to represent appellant Lester Wayne Virgil for the direct appeal in the above automatic appeal now pending in this court.

S079992 People, Respondent

v.

Matthew George Jennings, Appellant

Upon request of appellant for appointment of counsel, Eric Multhaup is hereby appointed to represent appellant on his appeal now pending in this court.

BM In the Matter of the Suspension of Attorneys
4286 For Nonpayment of Dues

Due to clerical error on the part of the State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of dues filed on July 10, 1980, effective July 21, 1980, be amended *nunc pro tunc* to strike the name of **Jack Elton Hildreth**.

BM
4739 In the Matter of the Suspension of Attorneys
For Nonpayment of Dues

Due to clerical error on the part of the State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of dues filed on July 10, 1995, effective July 31, 1995, be amended *nunc pro tunc* to strike the name of **Nancy K. Tappen**.

BM
5272 In the Matter of the Suspension of Attorneys
For Nonpayment of Dues

Due to clerical error on the part of the State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of dues filed on September 18, 1986, effective September 29, 1986, be amended *nunc pro tunc* to strike the names of **James Fletcher Covington, Jr.** and **James Jessee Wood**.

BM
54996 In the Matter of the Suspension of Attorneys
For Nonpayment of Dues

Due to clerical error on the part of the State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of dues filed on August 2, 1996, effective August 12, 1996, be amended *nunc pro tunc* to strike the names of **Mary K. Joscelyn** and **Gentry G. Young II**.

BM
6006 In the Matter of the Suspension of Attorneys
For Nonpayment of Dues

Due to clerical error on the part of the State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of dues filed on July 14, 1989, effective July 24, 1989, be amended *nunc pro tunc* to strike the name of **Paul Wagner**.

S064160 In re **Robert Othniel Walsh** on Discipline

Good cause having been shown, it is hereby ordered that probation is revoked, the previously ordered stay of execution of suspension in the above-entitled matter is lifted, and **Robert Othniel Walsh**, State Bar No. 60153, shall be actually suspended from the practice of law for six months, with credit for the 45 day period of actual suspension previously served in S064160. Credit against the period of actual suspension shall be given for the period of

involuntary inactive enrollment which commenced July 7, 1999. (Business and Professions Code section 6007(d).) He is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and payable in accordance with Bus. & Prof. Code section 6140.7.

*(See Business & Professions Code, § 6126, subd. (c).)

S080683 In re **Henry J. Koehler, IV**, on Discipline

It is ordered that **Henry J. Koehler, IV, State Bar No. 52539**, be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 60 days. He is also ordered to comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its opinion filed May 28, 1999. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

S080684 In re **Kevin Reid Richards** on Discipline

It is hereby ordered that **Kevin Reid Richards** be disbarred from the practice of law and that his name be stricken from the roll of attorneys. He is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S080685 In re **Shelly Marie Matis** on Discipline

It is ordered that **Shelly Marie Matis**, State Bar No. 99507, be actually suspended from the practice of law for 90 days and until she makes restitution to Aman Collelction (or the Client Security Fund, if appropriate) in the amount of \$85.00, plus 10% interest per annum from June 12, 1996, and furnishes satisfactory proof thereof to the

Probation Unit, State Bar Office of the Chief Trial Counsel; and until she has shown proof satisfactory to the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct; and until she complies with the other requirements recommended by the Hearing Department of the State Bar Court in its decision filed May 7, 1999, as modified by its order filed June 2, 1999. It is also ordered that she take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of her actual suspension, whichever is greater. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that she comply with rule 955, California Rules of Court, and that she perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and payable in accordance with Bus. & Prof. Code section 6140.7 as amended effective January 1, 1997.

*(See Business & Professions Code, § 6126, subd. (c).)

S080747 In re **Michael Charles Moustakas** on Discipline

It is ordered that **Michael Charles Moustakas**, State Bar No. 55953, be suspended from the practice of law for three years, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. He is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its decision filed November 18, 1998, as affirmed by the Review Department of the State Bar Court in its decision filed June 22, 1999. It is also ordered that he take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) He is further ordered to comply with rule 955, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date

this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and payable in accordance with Bus. & Prof. Code section 6140.7.

*(See Business & Professions Code, § 6126, subd. (c).)

S080822 In re **Dennis Reid Hoptowit** on Discipline

It is ordered that **Dennis Reid Hoptowit**, State Bar No. 61544, be suspended from the practice of law for 90 days, that execution of suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed June 15, 1999. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and shall be added to and become part of the membership fee for the next calendar year. (Bus. & Prof. Code section 6140.7.)

S080827 In re **Stanley Nichols** on Discipline

It is ordered that **Stanley Nichols, State Bar no. 44310**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed June 18, 1999. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

S080917 In re **Kenneth Neal Brody** on Discipline

It is ordered that **Kenneth Neal Brody**, State Bar No. 160292, be suspended from the practice of law for six months, that execution of suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed June 2, 1999. It is further ordered that he take and

pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and shall be added to and become part of the membership fee for the next calendar year. (Bus. & Prof. Code section 6140.7.)

S081032 In re **Carole Ann Gearhart** on Discipline

It is hereby ordered that **Carole Ann Gearhart**, State Bar No. 102694, be disbarred from the practice of law and that her name be stricken from the roll of attorneys. She is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S082406 In the Matter of the Resignation of **Robert Hunter Wilson**
A Member of the State Bar of California

The voluntary resignation of **Robert Hunter Wilson, State Bar membership No. 75216** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S082407 In the Matter of the Resignation of **Germain Labat, Jr.**
A Member of the State Bar of California

The voluntary resignation of **Germain Labat, Jr., #105902**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

- S082409 In the Matter of the Resignation of **Daniel Anthony Borzoni**
A Member of the State Bar of California
The voluntary resignation of **Daniel Anthony Borzoni, #94786** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.
*(See Bus. & Prof. Code, § 6126, subd. (c).)
- S082410 In the Matter of the Resignation of **Patricia E. Shields**
A Member of the State Bar of California
The voluntary resignation of **Patricia E. Shields, State Bar membership No. 173175** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against her should she hereafter seek reinstatement. It is ordered that she comply with rule 955, California Rules of Court, and that she perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.
*(See Bus. & Prof. Code, § 6126, subd. (c).)
- S082451 In the Matter of the Resignation of **Ronald Carl Brown**
A Member of the State Bar of California
The voluntary resignation of **Ronald Carl Brown, #92531** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.
*(See Bus. & Prof. Code, § 6126, subd. (c).)